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Serial No. 10/662,971
Art Unit 2836REMARKS

Claims 1-21, 32-44, 46-57, and 59 were presented for examination. The instant amendment cancels claims 3, 17, 39, and 54. Thus, claims 1-2, 4-16, 18-21, 32-38, 40-44, 46-53, 55-57, and 59 remain pending upon entry of the instant amendment, which is respectfully requested. Claims 1, 12, 13, 32, and 46 are independent.

Independent claims 1 and 32, as well as claims 2-11 and 33-44 that depend therefrom, respectively, were rejected under 35 U.S.C. §102 over U.S. Patent No. 6,411,865 to Qin et al. (Qin). Independent claims 12, 13, and 46, as well as claims 14-21, 44, 46-57, and 59 that depend therefrom, respectively, were rejected under 35 U.S.C. §103 over Qin in view of U.S. Patent No. 5,875,088 to Matsko et al. (Matsko).

Independent claims 1, 12, and 13 have been amended to include elements of dependent claims 3 and 17, respectively. Thus, claims 1, 12, and 13 each recite that the step of performing the zone protective function is based at least in part upon electrical parameters of the zone of protection, where the electrical parameters are "communicated over a data network to a microprocessor".

Similarly, independent claims 32 and 46 have been amended to include elements of dependent claims 39 and 54, respectively. Thus, claims 32 and 46 have been amended to further recite "a data network in communication with said control processing unit and communicatively coupleable to the power switching devices".

Qin discloses that in power system networks, a busline (also referred to as a busbar) provides a connection capability for various electrical circuits, including electrical generation, transmission and load circuits. If a fault occurs on a particular bus, the circuit or circuits which supply the fault current to the busline must trip their associated circuit breakers to isolate the fault from the other circuits connected to the busline. A bus fault may result in significant loss of service and, hence, busline arrangements are typically designed to minimize the number of circuits which must be

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opened in the event of a fault on the bus. See col. 1, lines 12-25.

Clearly, the network disclosed by Qin is the power delivery network. Thus, Applicants submit that any electrical parameters in this power delivery network are not communicated over the power network, but rather are merely power conditions that are present in the power network.

To further clarify this distinction, the claims have been amended to clarify that the network is a data network.

Applicants respectfully submit that Qin does not disclose or suggest communicating electrical parameters "over a data network to a microprocessor" as recited in claims 1, 12, and 13 or "a data network in communication with said control processing unit and communicatively coupleable to the power switching devices" as recited in claims 32 and 46.

Matsko not asserted by the Office Action, nor does Matsko disclose or suggest a network.

Claims 1, 12, 13, 32, and 46 are therefore believed to be in condition for allowance. Claims 2, 4-11, 14-16, 18-21, 33-38, 40-44, 47-53, 55-57, and 59 are also believed to be in condition for allowance for at least the reason that they depend from the aforementioned claims. Reconsideration and withdrawal of the rejection to claims 1-2, 4-16, 18-21, 32-38, 40-44, 46-53, 55-57, and 59 are respectfully requested.

In view of the above, it is respectfully submitted that the present application is in condition for allowance. Such action is solicited.

In the alternative, Applicants submit that the instant amendment places the present application in better condition for appeal. Accordingly, entry and consideration of the instant amendment, at least for the purposes of appeal, are respectfully

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requested.

If for any reason the Examiner feels that consultation with Applicants' attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below.

Respectfully submitted,

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